

NextWave Telecom Inc.

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Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington D.C. 20554

To The Commission:

This filing relates to FCC Public Notice DA 00-2099, released September 14, 2000, "Wireless Telecommunications Bureau Provides Guidance on Carrier Reports On Implementation of Wireless E911 Phase II Automatic Location Identification."

Background/Contract Information

(1) Carrier Identifying Information:

This response is submitted by NextWave Telecom Inc. on behalf of NextWave Power Partners Inc. and other subsidiaries of NextWave Telecom Inc. that have been established for the purpose of acquiring, holding, and/or operating personal communications service ("PCS") licenses and facilities in the 1900 MHz band (collectively, "NextWave"). The planning and deployment of NextWave's network infrastructure is still underway, so it does not yet have a TRS number. NextWave plans to use Lucent Technologies CDMA infrastructure but may also use 3G1X network equipment provided by other infrastructure providers. A complete list of NextWave's PCS licenses is on file with the Commission.

(2) Contact Information:

Please direct all inquiries concerning this filing to Michael Wack, SVP and Deputy General Counsel, at the following address:

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The technical information in this filing was supplied by Mr. Alan Cameron, NextWave VP for Engineering and Operations.

E911 Phase II Location Technology Information

(1) Type of Technology:

NextWave would prefer to deploy a network-based E911 solution, but market forces effecting the availability and reliability of network-based equipment may make it necessary to deploy a handset-based solution to wireless location technology Phase II compliance. NextWave's preliminary evaluation and analysis of network-based solutions such as True Position, Allen Telecom/Grayson Wireless and US Wireless indicates that the network-based technology is not currently available to meet the FCC's adopted accuracy and reliability requirements for CDMA networks. After a review of studies performed by other carriers, NextWave believes that further study of network-based solutions is necessary and that there may not be enough products available on a timely basis to meet deployment requirements. Given the challenges presented by both the network-based and the handset-based solutions, NextWave will continue to evaluate handset, network based, and hybrid solutions for Phase II.

(2) Testing and Verification:

As of this writing, NextWave has not yet performed any field testing or verification of a handset, network or hybrid based location products. The Company is reviewing testing and verification data available from equipment manufacturers and other wireless carriers. After vendor selection has been achieved, a full scale testing and verification plan will be implemented, and NextWave will update this filing and notify the FCC, as appropriate, according to the procedures defined in FCC Public Notice DA 00-2099 and Report and Order 94-102.

(3) Implementation Details and Schedule:

In accordance with the Commission's rules, NextWave's E911 Phase II solutions will be deployed in each of the company's markets where a PSAP requests Phase II location services, is capable of receiving and utilizing the data elements associated with the service, and a cost-recover mechanism is in place. *See* 47 C.F.R. 20.18(j). The precise deployment schedule will depend upon the timing of PSAP requests and cost-recovery mechanism implementation, as well as upon the commercial availability of the necessary equipment.

Based on NextWave's evaluation at this juncture of a handset-based architecture, there are at least four components that NextWave will need to implement: GPS enabled handsets, Position Determination Equipment ("PDE"), Mobile Position Center ("MPC") and Call Routing Database ("CRDB"). NextWave may decide to outsource some of these elements off network to a service bureau.

February 5, 2001

NextWave will deploy its network with GPS capable devices once they become commercially available. NextWave will enter into handset vendor contracts that contain requirements for handsets that meet the accuracy and reliability requirements established by the FCC, subject to commercially acceptable pricing availability.

NextWave has engaged in preliminary discussions with its current infrastructure vendor about PDE equipment. NextWave's current vendor does not have a commercial product available at this time. As necessary, NextWave will pursue multiple solutions for the PDE with its infrastructure vendors. To NextWave's knowledge, no vendor currently markets a commercial PDE product.

(4) PSAP Interface:

NextWave is making every effort to ensure that its wireless network is deployed in a manner capable of transmitting Phase II data to PSAPs. Those PSAPs' abilities to receive and utilize the data elements associated with Phase II E911 service will depend on the network equipment and CPE they deploy for those purposes, and such network equipment may be provided and maintained by incumbent local exchange carriers with individualized network operational characteristics. In general, however, if a PSAP with whom NextWave enters into a relationship is enhanced and wireless Phase I capable, NextWave does not expect to confront insurmountable challenges to transition already Phase I-enabled PSAP networks and CPE to reliable and acceptable Phase II operational performance levels. However, additional hardware and software upgrades to a PSAP's network and CPE may be required if it is not Phase I enabled.

(5) Existing Handsets:

NextWave's is not currently engaged in commercial operations, which minimalizes the difficulties it will face, relative to more established wireless providers, in transitioning an installed equipment base to Phase II performance levels.

(6) Location of Non-Compatible Handsets:

NextWave's network will route all 911 calls, whether the phone is a NextWave subscriber, competitor's subscriber, de-activated, or an uninitialized handset, to the appropriate PSAP. Any wireless 9-1-1 callers who use non-compatible handsets will be located using Phase I cell and sector proximity information provided by an off-network service bureau solution like GTE TSI, Xypoint, Illuminet or on-network using a Service Control Point with the Signal Soft application.

(7) Other Information:

NextWave will continue to evaluate both network-based and handset-based solutions to meet the location requirements and timeframes required by the FCC. Public safety is important to NextWave and the

company is committed to providing the public safety service the FCC requires in Phase I and Phase II E911. Although from a cost end efficiency standpoint, a network-based solution seems to be the best alternative, it does not currently appear that such a solution will be commercially available for NextWave's CDMA technology to meet NextWave's anticipated roll out time frame. NextWave echoes concerns previously expressed to the Commission by other wireless carriers that a handset-based solution may not be available at a price which will allow NextWave to keep costs to the customer at a commercially reasonable level, particularly for the under served population.

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